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TITLE: APPARATUS AND METHOD OF POWER CONTROL

Amendment B: Remarks

Upon entry of the present amendments, Claims 41-66 remain pending in the present application. Claims 1-40 have been cancelled. Claims 1-15 and 32-40 were rejected, and the subject matter of these claims has been re-presented as Claims 41-66. Claims 16-31 were withdrawn from consideration in response to an election requirement. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purposes of distinguishing the present invention from the prior art and placing the application into a condition for allowance.

In the Office Action, Claims 1-3, 9-14, 32-34 and 37-40 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the Pasternak patent in view of the Anderson patent. Claims 4-8, 35 and 36 were rejected 35. U.S.C. §103(a) as being unpatentable over the Pasternak patent in view of the Anderson patent and further in view of the Goff patent. Claim 15 has been rejected under 35 U.S.C. §102(a) as being unpatentable over the Pasternak patent in view of the Anderson patent and further in view of the Denes publication. No formality rejections were made against the specification or

drawings, although Applicant may enter later amendments to resolve any such informalities.

As an overview of the present amendment, the elected subject matter of Claims 1-15 and 32-40 have been re-presented in Claims 41-66. Claims 41-57 correspond to the apparatus of Claims 1-15, and Claims 58-66 correspond to the related method of Claims 32-40. The base independent apparatus Claim 41 incorporates the amended subject matter of Claim 1 and 3. The base independent method Claim 58 incorporates the amended subject matter of Claim 32 and 34. Claims 42 and the matching method Claim 59 are new claims, describing the programming mode of the control unit in more detail. Claims 42 and 59 are based upon the original disclosure on Page 5, II. 24-28. Claims 46-49 are the expanded versions of originally multiple dependent Claims 6 and 7. Overall, the independent Claims 41 and 58 are distinguished from the prior art references and place the application into a condition for allowance.

With regard to the prior art rejections, Applicant respectfully contends that independent Claims 41 and 58 are no longer made obvious by the prior art combination and patentable over the prior art references and combinations. The independent claims state that the control unit is responsive to the stimulus to configure to a programming mode in which it is responsive to control signals, wirelessly conveyed from a remote unit, to be programmed to respond in a predetermined way to a predetermined operation of the remote unit. In particular, the present invention is not disclosed nor made obvious by the Pasternak patent or a combination including the Pasternak patent.

In the independent claims of the present invention, the term, "mode of operation", defines the status of the control unit; specifically, it defines how the control unit will respond when subsequent signals (i.e. "control signals") are sent to it. The response of the control unit to control signals differs according to the particular mode of operation the control unit is in. For example, when in a "dimmer mode of operation" the control unit is configured to respond to subsequent control signals in such a way as to increase or lower the intensity of light. The term, "stimulus", refers to a signal sent to the control unit which configures it to enter into a different mode of operation. The stimulus itself does not directly control the illumination of the lamp. Instead, it configures the control unit to respond in a particular way to subsequent control signals, which can then be used to control the illumination of the lamp. Importantly, although the stimulus may be used to set the control unit in dimmer mode, the stimulus will not itself cause the intensity of light to change. The actual change in light intensity only occurs on receipt of a subsequent control signal.

As such, the "stimulus" in the Pasternak patent does not disclose any aspect of the stimulus and control signal of the present invention. Referring to Figure 4, and column 3, lines 52 to 65 of Pasternak, the signals sent to the lamp controller from the photosensor, motion sensor or light switch are not analogous to the stimulus of the claims of the present invention. These signals sent from the motion sensor / photosensor/ light switch cannot be considered as a "stimulus" of the present invention. Lines 58 to 60 in column 3 of the Pasternak patent state that "the lamp controller selectively operates (on/off/dim/brighten/flash) the lamp

142 in response to signals received not only from the remote controller and light switch, but also from a motion sensor 145 and a photo sensor 147." On receipt of the signals from the remote controller /light switch/ motion sensor/ photosensor, therefore, the lamp controller proceeds immediately to turn the lamp on or off, to dim the lamp, or brighten it. These effects occur without any subsequent control signals being sent to the lamp controller.

The signals sent to the lamp controller from the light switch/motion sensor/photo sensor of the Pasternak patent do not constitute a "stimulus" according the present invention, because these signals do not cause the lamp controller to enter into a new configuration in which it will respond differently to subsequent control signals. Furthermore, the different settings of the lamp "on/off/dim/brighten/flash" do not correspond to "modes of operation" of the present invention, because they have no bearing on how the lamp controller itself will respond to subsequent control signals.

The present invention is an innovation that elevates the normal remote control of the lamp. The lamp is actually programmed to respond differently to a control signal, as opposed to just moving between on/off/dim/brighten/flash by control signals of the prior art. The mode of operation of the present invention is more than the on/off/dim/brighten/flash functions of the prior art. The utility of the invention as presently claimed rests in the fact that the control unit has different modes of operation, each one of which will allow it to respond in a different way to control signals. The control unit can be triggered into a particular mode of operation by a wireless stimulus. Advantageously, one of these modes of

operation is a "programming mode" in which the control unit can be programmed to respond in a particular way to subsequent control signals. A user in possession of the remote unit can initiate the programming mode by sending the correct stimulus to the power controller, and once such a mode is initiated, can teach the control unit to respond in a particular way to subsequent signals sent from the remote unit. For example, a user might use the programming mode to program the unit to respond to a control signal sent from a particular key on the remote control. In such a way, the user might program the unit to only respond to control signals of a particular frequency.

The level of operation of the present invention enables finer control and programmable responses to a control signal, not just signals from a sensor. The Pasternak patent discloses nothing about remote programming or locking out particular remote units or restricting control of other particular remote units.

New Claims 42 and 59 are also not made obvious by the prior art combinations. These new claims explore the additional advantages of the present invention. The programming mode can be used to teach the control unit not only how to respond to control signals, but also how to respond to different stimuli. In other words, when in the programming mode, the control unit can be programmed to configure to a new mode of operation in response to a particular stimulus. As an example, a user may first initiate the programming mode by sending a stimulus to the control unit. Once in the programming mode, the user may then teach the control unit which mode to enter (e.g. "dimmer mode") in response to subsequent stimuli.

Thus, the power controller of the present invention allows a user to customize operation in response to different signals sent from the remote. In contrast to the Pasternak patent, other prior art, and combinations, there is no disclosure or even suggestion of being able to program the control unit, such as a lamp, to respond in different ways to different signals. The "modes of operation" of the prior art are not analogous to the "modes of the operation" as different programmed functions of the present invention. In particular, in the Pasternak patent, column 3, lines 12 to 51, the prior art lamp controller may be configured to operate the lamp in a "dependent mode of operation" (column 3, lines 13 to 14) or an "independent mode of operation" (column 3, lines 26 to 28) or a "combined mode of operation" (column 3, lines 36 to 38). Referring to column 3, lines 12 to 25, the Pasternak patent explains that in the dependent mode of operation, "the lamp controller controls operation of the lamp 132 only in response to command signals received from the remote controller 122." Conversely, when in the independent mode, the lamp controller 134 controls operation of the lamp independently of the remote controller (see column 3, lines 26 to 29 in Pasternak). Thus, when the lamp controller is in a dependent mode of operation, the lamp controller will respond to signals sent from the light switch 138 in a different way to when the lamp controller is in an independent mode of operation. Importantly, however, neither the "dependent mode", the "independent mode" nor the "combined mode" of operation meet the requirement of a "programming mode" as in the present invention. In particular, while the different modes determine how the lamp controller will respond to control signals, e.g.

signals sent from the lamp switch, they do not allow a user to program the lamp controller to respond in different ways to control signals.

Applicant recognizes the description of the "combined mode of operation," lines 45 to 48 in column 3 of the Pasternak patent, which states that the "lamp controller may be configured via the remote controller to control the lamp in a predetermined manner (based on time of day, actuation of the light switch etc) in the event that communication with the remote controller is lost." This combined mode is still not the programming mode of the present invention.

The Pasternak patent teaches against the combined mode as the programming mode as claimed in the present invention. The Pasternak patent is concerned with providing a "system for remotely controlling and/or monitoring remote devices via a common interface" (see column 1, lines 30 - 32). Referring to Figure 2 of the Pasternak patent, the light fixture, of which the lamp controller is one component, forms part of a larger remote lighting system 106, which is controlled by a command controller 102. Referring to column 8, lines 9 to 13, the command controller "controls each remote controller by setting the parameters by which it operates its corresponding light fixtures and lamps." Thus, the lamp controllers that are present in any one of the remote lighting systems 106 are all designed to be controlled through the same common interface (command controller 102), rather than each lamp controller being configured to function independently of the others in that system.

The “combined mode” of the prior art lacks features of the claimed programming mode of the present invention. The “combined mode” is not wireless. The “combined mode” lacks does not affect the control unit response to other remote units. The “combined mode” does not customize the control unit for particular remote units or for different subsequent control signals. This prior art feature assures manual control in the event of misplacement of the remote unit. The control unit, the lamp controller, still responds to control signals determined solely by the command controller 102, without variation by the control signals from a remote unit. It follows that one skilled in the art would not understand the “combined mode” for setting a manual lamp control option by the remote is the same as programming the lamp control to process subsequent control signals from different remote units. The purpose, function, and motivation for the “combined mode” of the Pasternak patent differs greatly from the programming mode by wireless remote of the present invention as now claimed.

No new matter has been added by the present amendment. The total number of pending claims is less than originally paid for.

Based upon the foregoing analysis, Applicant contends that independent Claims 41 and 58 are now in a proper condition for allowance. Additionally, those claims, which are dependent upon these independent claims, should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

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